

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

House Bill No. **0529**



Introduced by Representative Gabriel H. Bordado, Jr.

EXPLANATORY NOTE

The State should protect public health and safety, and that includes the welfare and safety of pedestrians as well. Therefore, this should be integrated in the policies and plans of our national and local governments. One way to ensure this is through making sure that public infrastructures such as pedestrian overpasses provide a clean environment, safety, convenience, and shelter to our people.

The state of pedestrian overpasses in the country is in dire need of improvement. These structures are dilapidated and sparse, offering inadequate protection to our pedestrians, particularly during extreme weather. This bill seeks to address this need so that our pedestrians will be offered safety and protection from vehicular traffic, inclement weather, and other hazards.

The efficiency of our infrastructures should be duly examined and improved in order to promote economic development and the improvement of the Filipinos' quality of life. With this purpose in mind, the immediate approval of this bill is requested.


GABRIEL H. BORDADO, JR.
3rd District, CAMARINES SUR

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AN ACT REQUIRING ALL PEDESTRIAN OVERPASSES TO BE MADE CLIMATE CHANGE FRIENDLY, AND PROVIDING PENALTY FOR VIOLATION THEREOF

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Short Title. --- This Act shall be known as "Pedestrian Overpass Act of 2022".

SECTION 2. Declaration of Policy. It is hereby declared that:

The State shall pursue a policy to protect and promote the rights of the people to health, a balanced and healthful ecology and instill health consciousness among them. It shall pursue a policy of sustainable development, balancing progress, the protection of the environment, and the health and welfare of its people. This includes recognizing the mandate of the State provide public structures to protect the welfare and safety of the commuting public, all road users and pedestrians from all road hazards and inclemency of weather.

Towards this end, the State shall require that all pedestrian overpasses shall be properly constructed to address protection of the public from inclement weather and guarantee the safety of pedestrians using the facility.

SECTION 3. Definition of Terms.

"Approved Budget for the Contract" refers to the budget for the contract duly approved by the Sanggunian in the case of LGUs. "Approved Budget for the Contract", and "Approved Budget" shall have the same meaning and shall be used interchangeably.

"DPWH" means the Department of Public Works and Highways which maintains exclusive control over national RROWS.

"Intersections" are common surface areas or spaces shared by two (2) or more national RROWS, similar ROWs or legal easements or a mix of such public spaces, which form part of the public domain.

"TRR" means the implementing Rules and Regulations.

"LGU" means the Local Government Unit (LGU) as defined under RA No. 7160, otherwise known as the 1990 Local Government Code.

"Lighting System" means the luminaries/ complete lighting units, power source and connections, controls and all support structures/devices that ensure the continuous illumination of a display.

"Pedestrian" shall mean any person who is afoot or who is using a wheelchair, roller skates, skateboards or a means of conveyance propelled by human power other than a bicycle.

"Pedestrian Overpass" means any portion of a roadway, designated by law of a municipality, at an intersection or elsewhere, distinctly indicated for pedestrian crossing by signs on the highway and lines or other markings on the surface of the roadway as prescribed by the regulations;

SECTION 4. Scope. This Act shall cover all existing overpasses found in municipalities and cities in the country.

SECTION 5. Regulation of Pedestrian Overpasses. Existing pedestrian overpasses shall be modified and rehabilitated according to the requirements of this Act. Likewise the Approved Budget for the Contract of pedestrian overpasses that will be erected, modified, rehabilitated or otherwise altered from the date of implementation of this Act shall include expenses for strict compliance with the following requirements:

- a) **Sufficient Lighting.** All parts of pedestrian overpasses shall have sufficient light to insure safety and protection of life and property. The average light intensity measured at floor level shall be not less than 200 LUX.
- b) **Shade and Shelter.** Pedestrian overpasses including its stairways shall be designed to ensure that pedestrians will be secured against displacement by wind forces, rain and exposure to heat of the sun.
- c) **Safety Railways and other safety features** including appropriate signage, visibility, angle of inclination of stairways, and barriers shall be mandatory in the design of all pedestrian overpasses.

SECTION 6. Responsibility for Administration and Enforcement. It shall be the primary duty of the DPWH and LGUs, in collaboration with the Professional Regulatory Boards (PRBs) of Architecture and Environmental Planning to effectively enforce the provisions of this Act. All duly constituted law enforcement agencies and officers of national, provincial, city or municipal government or of any political subdivision thereof, shall, upon the call or request of the DPWH, render unqualified unconditional assistance in enforcing the provisions of this Act and to prosecute any person violating the provisions of the same. The Secretary of Justice or his duly designated representative shall act as legal adviser to the DPWH and shall render legal assistance as may be necessary in carrying out the provisions of this Act.

SECTION 7. Appropriation. The initial funding required for the implementation of this Act shall be sourced from the savings of the Executive Branch of the government and other possible sources that may be determined by the Office of the President, and subsequent funds needed shall be included in the General Appropriations Act for the year following the implementation of this Act.

SECTION 8. Implementing Rules and Regulations. Within ninety (90) days after the effectivity of this Act, the DPWH, in full consultation with the Professional Regulatory Boards (PRBS) of Architecture and Environmental Planning under the PRC, and with the PRC-Accredited Professional Organizations (APOS) of Architects and Environmental Planners, and in coordination with other agencies of the national and local governments, shall adopt and promulgate such rules and regulations, to carry out the provisions of this Act and which shall be effective fifteen (15) days following their publication in the Official Gazette or in two (2) major daily newspapers of general circulation

SECTION 9. Separability Clause. - If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 10. Repealing Clause. - All laws, decrees, executive orders, proclamations, and administrative regulations or parts thereof inconsistent herewith are hereby repealed or modified accordingly.

SECTION 11. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,